

EXHIBIT E



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

This document relates to the following case:

City of New York v. Amerada Hess Corp., et al., 04 Civ.
3417

**PLAINTIFF CITY OF NEW
YORK'S RESPONSES AND
OBJECTIONS TO
DEFENDANTS' FIRST SET
OF WELL SPECIFIC
REQUESTS TO ADMIT TO
PLAINTIFF CITY OF NEW
YORK**

MDL No. 1358
Master File C.A. No.
1:00-1898 (SAS)

Plaintiff City of New York ("the City"), by its attorney, Michael A. Cardozo, Corporation Counsel of the City of New York, hereby responds to Defendants' First Set of Well Specific Requests to Admit to Plaintiff City of New York Under CMO 19 ("Well Specific RTA"), dated September 18, 2006, as follows:

GENERAL STATEMENT

1. By responding to any request, the City does not concede the materiality of the subject to which it refers. The City's responses are made expressly subject to, and without waiving or intending to waive, any questions or objections as to the competency, relevancy, materiality, privilege, or admissibility as evidence, or for any other purpose, of any of the documents or information produced, or of the subject matter thereof, in any proceeding including the trial of this action or any subsequent proceeding.

2. The City objects to the Well Specific RTA to the extent that it seeks information outside the scope of discovery permissible under the Federal Rules of Civil Procedure.

RESPONSE TO REQUEST TO ADMIT 29

Denies.

REQUEST TO ADMIT 30

Plaintiff has never lost any revenue because of MTBE contamination in the #6 well.

RESPONSE TO REQUEST TO ADMIT 30

The City objects to this request due to the vagueness and ambiguousness of the phrase "lost any revenue." Subject to this objection and the general objections set forth above, the City admits this request.

REQUEST TO ADMIT 31

Plaintiff has never curtailed service to customers because of MTBE contamination in the #6 well.

RESPONSE TO REQUEST TO ADMIT 31

The City objects to this request due to the vagueness and ambiguousness of the phrase "curtailed." Subject to this objection and the general objections set forth above, to the extent that this request asks whether the City has never taken the #6 well out of service because of MTBE contamination in that well, thereby refusing to serve customers water from that well, the City admits this request.

REQUEST TO ADMIT 32

Plaintiff has never received complaints from customers because of MTBE contamination in the #6 well.

RESPONSE TO REQUEST TO ADMIT 32

Admits.

RESPONSE TO REQUEST TO ADMIT 40

Denies.

REQUEST TO ADMIT 41

Plaintiff has never expended money to replace the #6A well because of MTBE contamination.

RESPONSE TO REQUEST TO ADMIT 41

The City objects to this request due to the vagueness and ambiguousness of the phrase "to replace." Subject to this objection and the general objections set forth above, to the extent that this request asks whether the City has never made expenditures to place back in service the #6A well after MTBE contamination caused the City to take the #6A well out of service, the City admits this request.

REQUEST TO ADMIT 42

Plaintiff has never expended money to install equipment to remove MTBE from any water produced from the #6A well.

RESPONSE TO REQUEST TO ADMIT 43

Denies.

REQUEST TO ADMIT 43

Plaintiff has never lost any revenue because of MTBE contamination in the #6A well.

RESPONSE TO REQUEST TO ADMIT 43

The City objects to this request due to the vagueness and ambiguousness of the phrase "lost any revenue." Subject to this objection and the general objections set forth above, the City admits this request.

REQUEST TO ADMIT 44

Plaintiff has never curtailed service to customers because of MTBE contamination in the #6A well.

RESPONSE TO REQUEST TO ADMIT 44

The City objects to this request due to the vagueness and ambiguousness of the phrase "curtailed." Subject to this objection and the general objections set forth above, to the extent that this request asks whether the City has never taken the #6A well out of service because of MTBE contamination in that well, thereby refusing to serve customers water from that well, the City admits this request.

REQUEST TO ADMIT 45

Plaintiff has never received complaints from customers because of MTBE contamination in the #6A well.

RESPONSE TO REQUEST TO ADMIT 45

Admits.

REQUEST TO ADMIT 46

Plaintiff has never sought funds from the New York State Drinking Water State Revolving Fund to install equipment to remove MTBE contamination from the #6A well.

RESPONSE TO REQUEST TO ADMIT 46

Admits.

REQUEST TO ADMIT 47

Plaintiff has never sought funds from the New York State Drinking Water State Revolving Fund to replace the #6A well because of MTBE contamination.

RESPONSE TO REQUEST TO ADMIT 47

Admits.

REQUEST TO ADMIT 55

Plaintiff has never expended money to install equipment to remove MTBE from any water produced from the #6B well.

RESPONSE TO REQUEST TO ADMIT 55

Denies.

REQUEST TO ADMIT 56

Plaintiff has never lost any revenue because of MTBE contamination in the #6B well.

RESPONSE TO REQUEST TO ADMIT 56

The City objects to this request due to the vagueness and ambiguousness of the phrase "lost any revenue." Subject to this objection and the general objections set forth above, the City admits this request.

REQUEST TO ADMIT 57

Plaintiff has never curtailed service to customers because of MTBE contamination in the #6B well.

RESPONSE TO REQUEST TO ADMIT 57

The City objects to this request due to the vagueness and ambiguousness of the phrase "curtailed." Subject to this objection and the general objections set forth above, to the extent that this request asks whether the City has never taken the #6B well out of service because of MTBE contamination in that well, thereby refusing to serve customers water from that well, the City admits this request.

REQUEST TO ADMIT 58

Plaintiff has never received complaints from customers because of MTBE contamination in the #6B well.

REQUEST TO ADMIT 66

Plaintiff has never expended money to install equipment to remove MTBE contamination from the #6D well.

RESPONSE TO REQUEST TO ADMIT 66

Denies.

REQUEST TO ADMIT 67

Plaintiff has never expended money to replace the #6D well because of MTBE contamination.

RESPONSE TO REQUEST TO ADMIT 67

The City objects to this request due to the vagueness and ambiguousness of the phrase "to replace." Subject to this objection and the general objections set forth above, to the extent that this request asks whether the City has never made expenditures to place back in service the #6D well after MTBE contamination caused the City to take the #6D well out of service, the City admits this request.

REQUEST TO ADMIT 68

Plaintiff has never expended money to install equipment to remove MTBE from any water produced from the #6D well.

RESPONSE TO REQUEST TO ADMIT 68

Denies.

REQUEST TO ADMIT 69

Plaintiff has never lost any revenue because of MTBE contamination in the #6D well.

RESPONSE TO REQUEST TO ADMIT 69

The City objects to this request due to the vagueness and ambiguousness of the phrase "lost any revenue." Subject to this objection and the general objections set forth above, the City admits this request.

REQUEST TO ADMIT 70

Plaintiff has never curtailed service to customers because of MTBE contamination in the #6D well.

RESPONSE TO REQUEST TO ADMIT 70

The City objects to this request due to the vagueness and ambiguousness of the phrase "curtailed." Subject to this objection and the general objections set forth above, to the extent that this request asks whether the City has never taken the #6D well out of service because of MTBE contamination in that well, thereby refusing to serve customers water from that well, the City admits this request.

REQUEST TO ADMIT 71

Plaintiff has never received complaints from customers because of MTBE contamination in the #6D well.

RESPONSE TO REQUEST TO ADMIT 71

Admits.

REQUEST TO ADMIT 72

Plaintiff has never sought funds from the New York State Drinking Water State Revolving Fund to install equipment to remove MTBE contamination from the #6D well.

RESPONSE TO REQUEST TO ADMIT 72

Admits.

REQUEST TO ADMIT 172

Plaintiff has never expended money to install equipment to remove MTBE from any water produced from the #33 well.

RESPONSE TO REQUEST TO ADMIT 172

Denies.

REQUEST TO ADMIT 173

Plaintiff has never lost any revenue because of MTBE contamination in the #33 well.

RESPONSE TO REQUEST TO ADMIT 173

The City objects to this request due to the vagueness and ambiguousness of the phrase "lost any revenue." Subject to this objection and the general objections set forth above, the City admits this request.

REQUEST TO ADMIT 174

Plaintiff has never curtailed service to customers because of MTBE contamination in the #33 well.

RESPONSE TO REQUEST TO ADMIT 174

The City objects to this request due to the vagueness and ambiguousness of the phrase "curtailed." Subject to this objection and the general objections set forth above, to the extent that this request asks whether the City has never taken the #33 well out of service because of MTBE contamination in that well, thereby refusing to serve customers water from that well, the City admits this request.

REQUEST TO ADMIT 175

Plaintiff has never received complaints from customers because of MTBE contamination in the #33 well.

RESPONSE TO REQUEST TO ADMIT 175

Admits.

REQUEST TO ADMIT 176

Plaintiff has never sought funds from the New York State Drinking Water State Revolving Fund to install equipment to remove MTBE contamination from the #33 well.

RESPONSE TO REQUEST TO ADMIT 176

Admits.

REQUEST TO ADMIT 177

Plaintiff has never sought funds from the New York State Drinking Water State Revolving Fund to replace the #33 well because of MTBE contamination.

RESPONSE TO REQUEST TO ADMIT 177

Admits.

REQUEST TO ADMIT 178

Plaintiff has not incurred any expenses solely because of MTBE contamination in the #33 well.

RESPONSE TO REQUEST TO ADMIT 178

Denies.

REQUEST TO ADMIT 179

Plaintiff has not expended any money for maintenance on the #33 well solely because of MTBE contamination.

RESPONSE TO REQUEST TO ADMIT 179

Admits.